

EQUAL OPPORTUNITY DATA REQUIRED TO BE POSTED BY THE NO FEAR ACT
Equal Employment Opportunity Formal Discrimination Complaints
U. S. DEPARTMENT OF AGRICULTURE (Fiscal Year 2003)

Reporting Period Beginning: 10/1/02

and Ending: 9/30/03

Posting Date: 1/29/04

Agency: FS

1. The number of complaints filed: 76		2. Number of Filers (The number of individuals filing those complaints): 70		3. Number of Repeat Filers (The number of individuals who filed 2 or more complaints): 6	
4. Number of BASES Alleged in Complaints Filed for the Reporting Period (The number of those complaints raising each of the various bases of alleged discrimination.)					
BASIS		Number	BASIS		Number
a. RACE	Black	14	e. NATIONAL ORIGIN	Hispanic	12
	White	5		Other	9
	American Indian & Alaskan Native	7	f. DISABILITY	Physical	22
	Asian & Pacific Islander			Mental	6
	Other	7		Both	1
b. COLOR		2	g. AGE		18
c. RELIGION		1	h. RETALIATION		36
d. SEX (including Equal Pay Act)	Male	12	i. NON-EEOC REPORTABLE BASES		2
	Female	9			
Total					163
5. Number of ISSUES Alleged in Complaints Filed for the Reporting Period (The number of those complaints raising each of the various issues of alleged discrimination.)					
ISSUES		Number	ISSUES		Number
a. APPOINTMENT/HIRE		2	j. TRAINING		2
b. ASSIGNMENT OF DUTIES		2	k. TIME & ATTENDANCE		
c. AWARDS			l. TERMINATION		5
d. CONVERSION TO FULL-TIME			m. MEDICAL EXAMINATION		
e. DISCIPLINARY ACTION		8	n. PAY, INCLUDING OVERTIME		3
Demotion			o. PROMOTION/NON-SELECTION		25
Reprimand		5	p. HARASSMENT		21
Suspension		1	Sexual		10
Removal			Non-Sexual		11
Miscellaneous		2	q. REINSTATEMENT		
f. DUTY HOURS		2	r. RETIREMENT		
g. EVALUATION/APPRAISAL		5	s. TERMS/CONDITIONS OF EMPLOYMENT		7
h. EXAMINATION/TEST			t. REASONABLE ACCOMODATION		2
i. REASSIGNMENT		5	u. OTHER		10
Total					128
6. Average Length of Time to Complete Each Stage of the Complaint Process:		Number of Complaints	Number of Processing Days	Average Number of Processing Days	
a. COUNSELING		372	23011	62	
b. INVESTIGATION		141	59292	421	
c. FINAL AGENCY ACTION-WITH EEOC HEARING		31	40255	1299	
d. FINAL AGENCY ACTION-WITHOUT EEOC HEARING		38	50378	1326	
e. DISMISSALS		9	6331	703	
f. SETTLEMENT AGREEMENTS		74	50920	688	
g. WITHDRAWLS		8	2875	359	
7. Final Agency Actions Involving a Finding of Discrimination.		Number of Complaints with a Finding of Discrimination	Percent of Complaints with a Finding of Discrimination		
a. Without an EEOC Administrative Hearing		2	50%		
b. With an EEOC Administrative Hearing		2	50%		
c. Totals		4	100%		

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8. Final Agency Actions With a Finding of Discrimination by Basis.		Number of Complaints with an EEOC Hearing	Percent of Bases with an EEOC Hearing	Number of Complaints without an EEOC Hearing	Percent of Bases without an EEOC Hearing	Total Number of Complaints	Total Percent of Bases
Race	Black						
	White						
	American Indian & Alaskan Native						
	Asian & Pacific Islander						
	Unidentified						
Color							
Religion							
Sex (Including Equal Pay Act)	Male						
	Female						
National Origin	Hispanic						
	Other						
Age							
Disability	Physical						
	Mental						
	Both						
Retaliation		1				1	100%
Non-EEOC Reportable Complaints							
Total		1	100%	0	100%	1	100%

9. Summary of EEO Active Complaints at the End of the Period Filed in Current and Previous Fiscal Years (The total number of complaints pending for any length of time.)

	(A + B) Total number of pending complaints	(A) Total number of complaints filed in the current fiscal year	(B) Total number of complaints first filed before the start of the current fiscal year	Number of individuals who filed complaints in prior fiscal years
a. Acceptance/Dismissal (Counseling)	105	95	10	10
b. Investigation	29	29		
c. Hearing	172	10	162	100
d. Final Agency Action	187	4	183	129
e. Appeal	165	29	136	
f. Totals	658	167	491	239

g. Number of complaints in abeyance pending resolution of class complaints: 46

10. Final Agency Actions with a Finding of Discrimination by Issues.	Number of Complaints With an EEOC Hearing	Percent of Complaints With an EEOC Hearing	Number of Complaints Without an EEOC Hearing	Percent of Complaints Without an EEOC Hearing
Appointment/Hire				
Assignment of Duties				
Awards				
Conversion to Full-Time				

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Disciplinary Action	Demotion				
	Reprimand				
	Suspension	1	100		100%
	Removal				
	Miscellaneous				
Duty Hours					
Evaluation Appraisal					
Examination/Test					
Harassment	Sexual				
	Non-sexual				
Medical Examination					
Pay, Including Overtime					
Promotion/Non-Selection					
Reassignment	Denied				
	Directed				
Reasonable Accommodation					
Reinstatement					
Retirement					
Terms/Conditions of Employment					
Termination					
Training					
Time & Attendance					
Other					
Totals		1	100%	1	100%
11. The total number of complaints pending for any length of time in which the agency has not completed its investigation within the time required by 1614.106(e)(2).					
a. Pending complaints received during the current fiscal year: 29					
b. Pending complaints received prior to the current fiscal year: 0					